

UNITED STATES DISTRICT COURT
for
WESTERN DISTRICT OF TENNESSEEFILED BY JL D.C.

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U.S.A. vs Howard Patrick

97-20189

Petition on Probation and Supervised Release

Docket No. 2005CR20189-001
THOMAS H. COULSON
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

COMES NOW Lorin J. Smith, PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Howard Patrick, who was placed on supervision by the Honorable Bernice B. Donald sitting in the Court at Memphis, Tennessee, on the 1st day of April, 1998, who fixed the period of supervision at three (3) years*, and imposed the general terms and conditions theretofore adopted by the court and also imposed special conditions and terms as follows:

- 1) The Defendant shall receive mental health treatment as directed by the Probation Office.
- 2) The Defendant shall maintain employment.

*Supervision began June 4, 2005.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Mr. Patrick was convicted of Sexual Exploitation of a Minor. He has completed his seventy eight (78) month term of incarceration and has begun his supervision in the Northern District of Georgia. During his time of incarceration Mr. Patrick did not participate in sexual offender treatment of counseling. The United States Probation Office of the Northern District of Georgia has requested modification of the Special Conditions to require sexual offender assessment, treatment and counseling as well as a condition allowing for search and seizure. On July 1, 2005 Mr. Patrick signed a Probation From 49, Waiver of Hearing to Modify the Conditions of Supervised Release or Extend Term of Supervision, agreeing to the following special conditions : 1.) The defendant shall submit to a search of his person, property, real or personal, residence, place of business or employment, and/or vehicle(s) at the request of the United States Probation Officer. The defendant shall permit confiscation and/or disposal of any material considered contraband or any item which may be deemed to have evidentiary value related to violations of supervision. 2) The defendant shall participate in the mental health aftercare program including a psychosexual evaluation and counseling if deemed necessary and comply with the conditions of the sex offender contract under the guidance and supervision of the U.S. Probation Officer. If able, the defendant shall be required to contribute to the cost of services for such treatment.

PRAYING THAT THE COURT WILL ORDER that the special conditions of Mr. Howard Patrick's Supervised Release be modified include the aforementioned conditions.

ORDER OF COURT

Considered and ordered this 19 Day
of July, 2005, and ordered filed
and made a part of the records in the above
case.

Bernice B. Donald
United States District Judge

Respectfully,

Lorin J. Smith
Lorin J. Smith
U.S. Probation Officer

Place: Memphis, TennesseeDate: July 13, 2005

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TENNESSEE

**Waiver of Hearing to Modify Conditions
of Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

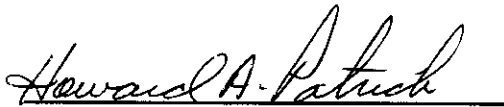
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release or to the proposed extension of my term of supervision:

The defendant shall submit to a search of his person, property, real or personal, residence, place of business or employment, and/or vehicle(s) at the request of the United States Probation Officer. The defendant shall permit confiscation and/or disposal of any material considered contraband or any other item which may be deemed to have evidentiary value related to violations of supervision.

The defendant shall participate in the mental health aftercare program including a psychosexual evaluation and counseling if deemed necessary and comply with the conditions of the sex offender contract under the guidance and supervision of the U.S. Probation Officer. If able, the defendant shall be required to contribute to the cost of services for such treatment.

Signed:

Witness:



Howard A. Patrick
Supervised Releasee



Sandra S. Glover
Sr. U. S. Probation Officer

Date: 7/1/05



Notice of Distribution

This notice confirms a copy of the document docketed as number 33 in case 2:97-CR-20189 was distributed by fax, mail, or direct printing on July 20, 2005 to the parties listed.

Dan Newsom
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT